

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the

herein described property for

to allow living quarters in a commercial building

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Dr. Kirkor Sekercon
Signature: (Type or Print Name)
Address: (Type or Print Name)
City and State: (Type or Print Name)

Attorney for Petitioner: David J. Preller, Sr. and Konstantine J. Prevas, Esquire
Address: 1209 Limekiln Road, Towson, Maryland 21204
City and State: Baltimore, Maryland 21202
Name and telephone number of legal owner, contract purchaser or representative to be contacted: Konstantine J. Prevas
City and State: Baltimore, Maryland 21202
Telephone No.: 752-2340

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of April, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of June, 1980, at 2:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Dr. Kirkor Sekercon, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 409.2.3 (3 & 5) to permit 9 parking spaces in lieu of the required 33.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Discontinuation of restaurant operation would result in severe economic loss to tenant

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: Dr. Kirkor Sekercon
Address: 1209 Limekiln Road, Towson, Md. 21204
City and State: Baltimore, Maryland 21202
Name and telephone number of legal owner, contract purchaser or representative to be contacted: David J. Preller, Sr. and Konstantine J. Prevas, Esquire
City and State: Baltimore, Maryland 21202
Telephone No.: 752-2340

BY ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of April, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of June, 1980, at 2:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
N/S Seminary Ave., 195'
W of York Rd., 8th District : OF BALTIMORE COUNTY

DR. KIRKOR SEKERCON, Petitioner : Case No. 80-248-X (Item 140)

ORDER FOR APPEAL

Mr. Commissioners:

Please note an appeal from the decision of the Deputy Zoning Commissioner under date of June 14, 1980, granting a variance to permit nine (9) parking spaces in lieu of the required thirty-three (33) spaces, in the above-entitled matter, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman, Deputy People's Counsel
John W. Hession, III, People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1980, a copy of the foregoing Order for Appeal was mailed to Konstantine J. Prevas, Esquire, 5 Light Street, Suite 950, Baltimore, Maryland 21202 and David J. Preller, Sr., Esquire, 15 Charles Plaza, Suite 200, Baltimore, Maryland 21201, Attorneys for Petitioner; Mr. Armstead Thompson, 12 West Seminary Avenue, Lutherville, Maryland 21093; and Mr. Roland A. Rockel, 16 West Seminary Avenue, Lutherville, Maryland 21093.

John W. Hession, III

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
N/S Seminary Ave., 195'
W York Rd., 8th District : OF BALTIMORE COUNTY

DR. KIRKOR SEKERCON, et al, : Case No. 80-248-XA
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman, Deputy People's Counsel
John W. Hession, III, People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

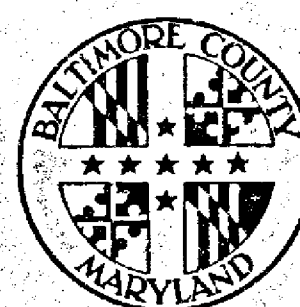
I HEREBY CERTIFY that on this 14th day of May, 1980, a copy of the foregoing Order was mailed to Konstantine J. Prevas, Esquire and David J. Preller, Sr., Esquire, 540 Tower Building, Baltimore, Maryland 21202, Attorneys for Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 26, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Konstantine J. Prevas, Esquire
540 Tower Building
Baltimore, Maryland 21202

RE: Item No. 140
Petitioner - Dr. Kirkor Sekercon
Special Exception and
Variance Petitions

Dear Mr. Prevas,

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

The subject property is located on the north side of Seminary Avenue west of York Road and is improved with a restaurant building and accessory parking area. Adjacent properties are improved with a gas station to the east, dwellings to the west and a small shopping center to the north.

This combination hearing is a result of a zoning violation hearing (Case No. 80-153-V). In view of the fact that revised site plans were submitted that reflect the comments of the State Highway Administration and the Bureau of Engineering, I scheduled this petition for a hearing and the forms were altered accordingly to reflect 9 parking spaces provided in lieu of 10 spaces. In keeping with this, I spoke with Mr. Mike Flanagan, Department of Traffic Engineering, and he indicated the revised petition forms and plans would change his original comments.

Particular attention should be afforded to the comments of the Department of Permits and Licenses. If additional explanation is required, you may contact Mr. Ted Burnham at 494-3987.

Item No. 140
Special Exception and
Variance Petitions
May 26, 1980

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Leo Rader
38 Belfast Rd.
Timonium, Md. 21093

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

February 15, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #140 (1979-1980)
Property Owner: Kirkor Sekercon
N/S Seminary Ave. 195' W. York Rd.
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for living quarters in a commercial building and variance to permit 10 parking spaces in lieu of the required 33 spaces.
Acres: 0.19 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lots 36 and 37 of the plat "Lutherville Heights", recorded W.P.C. 7, Folio 68.

Highways:

Seminary Avenue (Md. 131) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Seminary Avenue, which is anticipated to be transferred to Baltimore County for maintenance in the future is proposed to be improved as a 50-foot closed section roadway on an 80-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required by Baltimore County when this road is transferred to the County.

Entrance locations are subject to approval by the Baltimore County Department of Traffic Engineering and the State Highway Administration.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

ORDER RECEIVED FOR FILING

DATE June 13, 1980

BY John L. Wimbley

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception to allow living quarters in a commercial building should be granted; and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of June, 1980, that the herein Petition for Special Exception to allow living quarters in a commercial building, in accordance with the site plan filed herein and dated March 14, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The living quarters shall be confined to the third floor of the building.
2. Approval of the aforementioned site plan by the Maryland Department of Transportation, Department of Public Works, and the Office of Planning and Zoning.

John M.H. Jung
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE June 13, 1980

BY John L. Wimbley

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of June, 1980, that the herein Petition for the Variance(s) to permit nine parking spaces in lieu of the required thirty-three spaces, in accordance with the site plan filed herein and dated March 14, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The hours of operation for the restaurant shall be between 6:00 A.M. and 11:00 P.M.
2. No more than 6 tables and 12 seats shall be allowed in the restaurant area.
3. Approval of the aforementioned site plan by the Maryland Department of Transportation, Department of Public Works, and the Office of Planning and Zoning.

John M.H. Jung
Deputy Zoning Commissioner of Baltimore County
Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County

Item #140 (1979-1980)
Property Owner: Kirkor Sekerkan
Page 2
February 15, 1980

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is a 12-inch public water main and 8-inch public sanitary sewerage in Seminary Avenue.

Very truly yours,

Edmund N. Diver, P.E.
Edmund N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: G. Wittman
J. Wimbley
J. Somers

S-SE Key Sheet
45 NW 1 Pos. Sheet
NE 12 A Topo
60 Tax Map



Maryland Department of Transportation

State Highway Administration

James J. O'Donnell
Secretary
M. S. Caltrider
Administrator

January 29, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, Jan. 15, 1980
ITEM: 140.
Property Owner: Kirkor Sekerkan
Location: N/S Seminary Ave. 195' W York Rd. (Route 131)
Existing Zoning: R.L.-C.N.S.
Proposed Zoning: Special Exception for living quarters in a commercial building and variance to permit 10 parking spaces in lieu of required 33 spaces.

Acres: 0.19
District: 8th

Dear Mr. Hammond:

The plan indicates curb fronting the property. However, an inspection revealed no existing curb. The result is no channelization to define the entrance and no protection for the parking spaces. The plan must be revised to note that the curb is proposed. The entrance width must be noted. The plan must be revised prior to a hearing date being assigned.

Very truly yours,

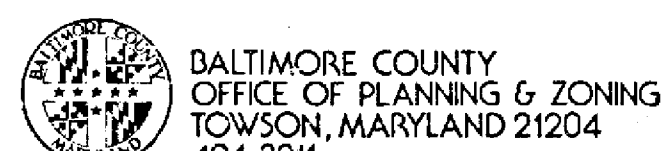
Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
John E. Meyers

CL:JEM:mah

My telephone number is (301) 383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



JOHN D. SEYFFERT
DIRECTOR

March 10, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #140, Zoning Advisory Committee Meeting, January 15, 1980, are as follows:

Property Owner: Kirkor Sekerkan
Location: N/S Seminary Ave. 195' W. York Road
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for living quarters in a commercial building and Variance to permit 10 parking spaces in lieu of the required 33 spaces
Acres: 0.19
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development



baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

February 20, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 140 - ZAC - January 15, 1980
Property Owner: Kirkor Sekerkan
Location: N/S Seminary Ave. 195' W. York Rd.
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for living quarters in a commercial building and Variance to permit 10 parking spaces in lieu of the required 33 spaces.

Acres: 0.19
District: 8th

Dear Mr. Hammond:

The requested special exception for living quarters in a commercial building is not expected to cause any traffic problems.

The proposed parking variance can be expected to cause some parking problems in the area. The driveway between the building and parking spaces No. 1, 2, and 3, are very narrow and problems can be anticipated.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineer Associate II

MSF/hmd



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 6, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #140, Zoning Advisory Committee Meeting of January 15, 1980, are as follows:

Property Owner: Kirkor Sekerkan
Location: N/S Seminary Ave. 195' W York Rd.
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for living quarters in a commercial building and Variance to permit 10 parking spaces in lieu of the required 33 spaces.
Acres: 0.19
District: 8th

Metropolitan water and sewer exist; therefore no health hazards are anticipated.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

January 23, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Kirkor Sekerkan

Location: N/S Seminary Ave. 195' W York Rd.

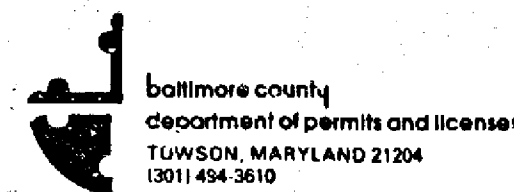
Item No: 140 Zoning Agenda: Meeting of 1/15/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER Paul H. Rencke Noted and Approved: George M. Wagonet
Planning Group
Special Inspection Division
Fire Prevention Bureau



Ted Zaleski, Jr.
DIRECTOR

January 23, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #140 Zoning Advisory Committee Meeting, January 15, 1980
are as follows:

Property Owner: Kirkor Sekercon
Location: 195 Seminary Ave., 195' W York Road
Existing Zoning: B.L. - C.N.S.
Proposed Zoning: Special Exception for living quarters in a commercial building
and Variance to permit 10 parking spaces in lieu of the required 33 spaces.

Acres: 0.17
District: 8th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.)
1978 Edition, State of Maryland Code for the
Handicapped and aged and other applicable codes.

B. A building permit shall be required before construction can begin.

C. Additional Permits shall be required.

X D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an
application for a building permit.

X F. Three sets of construction drawings with a registered Maryland
Architect or Engineer's original seal will be required to file
an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line.
Contact Building Department if distance is between 3'0" and 6'0"
of property line.

H. Requested setback variance conflicts with the Baltimore County
Building Code. See Section

I. No Comment.

X J. Comment: Sections 105.1, 105.2 and 106.7 shall be applicable and determine
extent of alterations required.

NOTE: These comments reflect only on the information provided by the
drawing submitted to the office of Planning and Zoning and are not
to be construed as the full extent of any permit.

Very truly yours,
Charles F. Burnham
Charles F. Burnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert F. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 11, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: January 15, 1980

RE: Item No: 137, 138, 139, 140
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PETITION FOR SPECIAL EXCEPTION AND VARIANCE

8th District

ZONING: Petition for Special Exception and Variance

LOCATION: North side of Seminary Avenue, 195 feet West of York Road

DATE & TIME: Wednesday, June 4, 1980 at 9:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception to allow living
quarters in a commercial building and Variance
to permit 9 parking spaces in lieu of the
required 33

The Zoning Regulation to be excepted as follows:

Section 409.2. a.b (3 & 5) - Offstreet parking

All that parcel of land in the Eighth District of Baltimore County

Being the property of Dr. Kirkor Sekercon, as shown on plat plan filed with the
Zoning Department

Hearing Date: Wednesday, June 4, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner

Date: May 9, 1980

FROM: John D. Sayre, Director
Office of Planning and Zoning

SUBJECT: Petition No. 80-248-XA Item 140

Petition for Special Exception and Variance
North side of Seminary Avenue, 195 feet West of York Road
Petitioner: Dr. Kirkor Sekercon

Eighth District

HEARING: Wednesday, June 4, 1980 (9:45 A.M.)

This office is not opposed to the granting of the requested special exception;
however, this office is concerned by the requested parking variance to permit
9 spaces instead of the required 33 in proximity to this busy intersection.

John D. Sayre
John D. Sayre, Director
Office of Planning and Zoning

JDS:JGH:cb



STATE OF MARYLAND
DIVISION OF REAL ESTATE

ROLAND A. ROCKEL
REAL ESTATE NEGOTIATOR
ROOM 1507

203-6737 - BUSINESS

STATE OFFICE BUILDING
301 W. PULCHER STREET
BALTIMORE MD 21201

LAW OFFICES GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

GARRETT BUILDING
233 E. REDWOOD STREET
BALTIMORE, MD. 21202
AREA CODE 301
752-4367

May 22, 1980

RE: Greek Korner
Case No. 80-248-XA

Mrs. Yung
Deputy Zoning Commissioner
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mrs. Yung:

I have just returned with my dinner from the Greek Korner, a
small restaurant/carry-out, located at 10 West Seminary Avenue,
Lutherville, Maryland 21093. While there, I was asked, and agreed
to sign a petition regarding a hearing scheduled before you on June
4, 1980 at which the proprietors will defend their present usage of
the property.

It borders on the absurd to deprive these people of the right
to continue their present use of the property on the grounds of
inadequate parking. My wife and I have recently moved into Lutherville
near the Greek Korner and eat there often. Never have we had the
slightest difficulty parking. In fact, the parking lot is most often
empty. While operating a modest business at an apparent profit, the
proprietors serve the community by providing the opportunity to
residents of Towson to eat good, inexpensive greek food in a fairly
authentic atmosphere. In fact, I have patronized many such tiny
restaurants throughout Southern Greece. On a rare occasion, my wife
and I have had our dinner at one of the few tables in the establishment.
On every such occasion, we were the only customers to do so, all others
staying for but a moment.

In conclusion, I urge you to sustain the right of the proprietors
of the Greek Korner to continue their present usage of the property at
10 West Seminary Avenue in Lutherville. Please note that I have no
connection whatever with the restaurant or its proprietors, other than
as a very satisfied customer. Thank you for your attention.

Very truly yours,

Harold H. Burns, Jr.
Harold H. Burns, Jr.

cc: Greek Korner

LAW OFFICES GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

GARRETT BUILDING
233 E. REDWOOD STREET
BALTIMORE, MD. 21202
AREA CODE 301
752-4367

May 22, 1980

RE: Greek Korner
Case No. 80-248-XA

Mrs. Yung
Deputy Zoning Commissioner
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mrs. Yung:

I have just returned with my dinner from the Greek Korner, a
small restaurant/carry-out, located at 10 West Seminary Avenue,
Lutherville, Maryland 21093. While there, I was asked, and agreed
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4, 1980 at which the proprietors will defend their present usage of
the property.

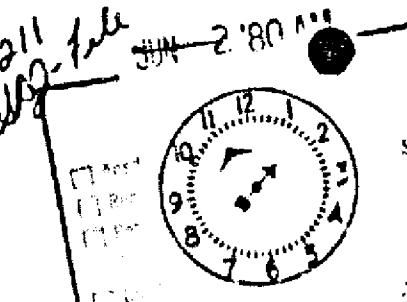
It borders on the absurd to deprive these people of the right
to continue their present use of the property on the grounds of
inadequate parking. My wife and I have recently moved into Lutherville
near the Greek Korner and eat there often. Never have we had the
slightest difficulty parking. In fact, the parking lot is most often
empty. While operating a modest business at an apparent profit, the
proprietors serve the community by providing the opportunity to
residents of Towson to eat good, inexpensive greek food in a fairly
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restaurants throughout Southern Greece. On a rare occasion, my wife
and I have had our dinner at one of the few tables in the establishment.
On every such occasion, we were the only customers to do so, all others
staying for but a moment.

In conclusion, I urge you to sustain the right of the proprietors
of the Greek Korner to continue their present usage of the property at
10 West Seminary Avenue in Lutherville. Please note that I have no
connection whatever with the restaurant or its proprietors, other than
as a very satisfied customer. Thank you for your attention.

Very truly yours,

Harold H. Burns, Jr.
Harold H. Burns, Jr.

cc: Greek Korner



ROLAND A. ROCKEL
SIXTEEN WEST SEMINARY AVENUE
LUTHERVILLE, MARYLAND 21093
May 30, 1980

William E. Hammond,
Zoning Commissioner
Baltimore County Office Bldg.
Towson, Maryland 21204

Re: Docket no. 80-248-XA
Special Exceptions
9:45 A.M., June 4, 1980
Dr. Kirkor Sekercon

Dear Commissioner Hammond:

It is unfortunate that I will be unable to attend
the subject Zoning Hearing as a protestant and affected
resident home owner, residing 3 doors West of the site.

In my capacity for the State of Maryland, I am
committed to a meeting in Prince Georges County with their
Director of Public Works. This meeting had been set for-
ward once and I feel it inappropriate to cancel our meet-
ing, because of the priority of the matter.

I do want to compliment those presently within
the Zoning Department that have now brought some element
of compliance with the original zoning approval of 1964.
Sixteen years has been a long time to suffer and be the
victim of non-compliance, even though efforts were put
forth to achieve some degree of correction in this period.

I wish to be on record as opposing additional
proliferation of commercial activity at the subject site.
The original grant limited the use to "Carry Out" - I
fail to ascertain any public necessity or convenience to
be served in this case. There are ample "Eat In" places
within the York Road corridor and a number nearby.

Also, I am opposed to approval of living quarters
in a commercial building, as it only serves to benefit
the owner and tenant, at the detriment of others. If the
claim is of hardship, I, as one individual, would be
willing to remove my objection to this part of the peti-
tion; if and in the event the owner of record would be
willing to enter into a recorded covenant binding himself,
his successors and assigns to limit the signs on the site
in conformity with Section 413.2 para. f. (B.C.Z.R. 1955).
Wherein only 100 square feet maximum would be permitted
and limited to 3 in number. Also, in the future the build-
ing be painted a color more compatible with those nearby
residences and not the present hideous orange color. The
costs of drafting the covenant and recording to be born
by the owner.

William E. Hammond,
Zoning Commissioner
Page 2, May 30, 1980

Your Enforcement Officers attention is directed
to the fact there now are 7 signs (some double futed)
on the building and/or property, which may exceed the
allowable square footage. Further, there seems to be no
evidence of the required license/permit tags.

As an affected resident homeowner, my rights of
enjoyment of my property and life have suffered over
these years by those responsible for conditions at 10 West
Seminary Avenue. I will not belabor the matter further
enumerating the many problems endured.

I do feel it appropriate to cite that Seminary
Avenue, West of the location, is only the substandard
right of way width of 30 feet wide and a 20 foot wide
paved roadway. Thus, if vehicles cannot park on the sub-
ject property and resort to parking on the 5 feet of
road shoulder; they create a traffic hazard, as about 8
feet is the width for a parking area. (Reference the
"Maryland General Laws, Act of 1853, Chapter 220"
Also, Plat of Survey made in 1867, in Road Record
Book #4, Baltimore County Land Records - whereby
the State of Maryland acquired from the County
the existing 30 foot wide right of way and have
not acquired any additional right of way to even
bring it up to the minimum 40 foot width.)

I respectfully petition that you protect the
rights of all and deny these requests and restrict the
use to the original Zoning, as granted in 1964.

Very truly yours,

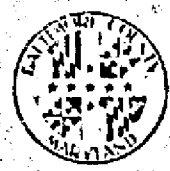
Dr. Kirkor Sekercon

encl.

* P.S. Please acknowledge receipt of this letter, so I am
assured it was considered in the matter, and provide a
copy of the subsequent Order issued in the case.

Thank you

Dr. Kirkor Sekercon



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 23, 1980

Konstantine J. Prevas, Esquire
5 Light Street-Suite 550
Baltimore, Maryland 21202

RE: Petition for Special Exception and
Variance - N/S Seminary Ave., 195' W of York Rd - Dr. Kirkor Sekercan
Case No. 80-248-XA

Dear Mr. Prevas:

This is to advise you that \$52.50 is due for
advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and
remit to Sandra Jones, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

cc: David J. Preller, Sr., Esq.
15 Charles Plaza - Suite 200
Baltimore, Maryland 21201

David J. Preller, Sr., Esquire
Konstantine J. Prevas, Esquire
510 Tower Building
Baltimore, P. land 21202

May 6, 1980

NOTICE OF HEARING

RE: Petition for Special Exception and Variance - N/S Seminary
Avenue, 195' W of York Road - Dr. Kirkor Sekercan
Case No. 80-248-XA

TIME: 9:45 A.M.

DATE: Wednesday, June 4, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

cc: David J. Preller, Sr., Esquire
15 Charles Plaza
Suite 200
Baltimore, Md. 21201

LEO W. RADER
REGISTERED SURVEYOR

HYDROGRAPHY
TOPOGRAPHY
GEODESY

SUBDIVISION
ENGINEERING
TITLE SURVEY
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093

CL 2-2920 ON
252 2620

December 20, 1979

BEGINNING for the same on the north side of Seminary Avenue distant
approximately 195 feet measured westerly along the original north side
of Seminary Avenue from the center of York Road, thence along the north
side of said Avenue North 88 degrees 35 minutes West 61.67 feet, thence
by the three following courses and distances respectively, viz: North
1 degree 25 minutes East 157.15 feet, South 53 degrees 18 minutes East
75.53 feet, and South 1 degree 25 minutes West 113.51 feet to the place
of beginning.

BEING Lots No. 36 and 37 as shown on the plat of "Lutherville Heights"
recorded among the Land Records of Baltimore County in Plat Book W.P.C.
No. 7 Folio 68.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 7, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Konstantine J. Prevas, Esquire
540 Tower Building
Baltimore, Maryland 21202

RE: Item No. 140
Petitioner - Dr. Sekercan
Special Exception and Variance
Petition

Dear Mr. Prevas:

In view of the fact that the Bureau of Engineering is requesting
an 80 foot right-of-way for Seminary Avenue, the submitted site plan
filed with this petition must be revised to reflect same. This will
involve altering the variance petition forms.

I have spoken with Mr. Leo Rader and he indicated that all the
changes were made and that you would be submitting the revised site
plans. Until this matter is resolved, I am unable to continue the
processing of this petition.

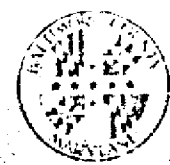
Please contact me at 494-3391 if you have any questions.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Leo W. Rader
Registered Surveyor
38 Belfast Road
Timonium, Md. 21093



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 13, 1980

Konstantine J. Prevas, Esquire
5 Light Street
Suite 550
Baltimore, Maryland 21202

RE: Petitions for Special Exception
and Variance
N/S Seminary Ave., 195' W of York
Rd. - 8th Election District
Dr. Kirkor Sekercan - Petitioner
NO. 80-248-XA (Item No. 140)

Dear Mr. Prevas:

I have this date passed my Order in the above captioned matter in accordance
with the attached.

Very truly yours,

Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: David J. Preller, Sr., Esquire
15 Charles Plaza
Suite 200
Baltimore, Maryland 21201

Mr. Roland A. Rockel
16 West Seminary Avenue
Lutherville, Maryland 21093

John W. Hessian, III, Esquire
People's Counsel

Mr. Armstead Thompson
12 West Seminary Avenue
Lutherville, Maryland 21093

County Board of Appeals
of Baltimore County
Room 219, Court House
Towson, Maryland 21204

RE: Petition for Special Exception
Petition for Variance
Jockey No. 80 - 248 - XA
Petitioner,
Kirkor Sekercan, M.D.

Dear Board Members:

The Opinion and Order of the Board in the above noted
case has been received by this writer.

It is most difficult to comprehend the rationale of
the resulting Order issued by members of a body with the onus
of assuring the pursuit of Zoning Regulations promulgated to
provide for the best interests of the residents of this county
and the public in general. The Order issued would only provide
for the best interest of one individual, the petitioner.

Having heard the entire testimony in the subject case,
there was no testimony of any alleged hardship this matter
would contract or burden upon the petitioner.

The petitioner is identified as a medical doctor (he
is understood to be an anesthetist), the property owner and
the absentee landlord of the tenants occupying the structure.

It follows, the order must be faulted as having no
basis because of the lack of any alleged facts or testimony in
support of the finding.

By copy of this letter it is suggested to the Board of
Council an additional appeal be pursued to rectify an arbitrary
and capricious decision.

Very truly yours,

Roland A. Rockel
Roland A. Rockel

cc: John W. Hessian, III, Esquire
People's Counsel

PETITION

We, the undersigned, support the application for exceptions
and variances filed by the owner and tenant of 10 W.
Seminary Avenue, Baltimore, Maryland, for the continued use
of the premises as a restaurant, with the parking variance
and the continued use of part of the second floor of the
premises for residential purposes.

NAME	ADDRESS	AFFILIATION (Owner, Tenant, Residential, Commercial)
<i>David R. Fuchs</i>	1524 YORK RD Lutherville Md.	Customer
<i>Paul G. Goff</i>	P.O. Box 248 Lutherville Md.	Customer
<i>Nally D. Goss</i>	P.O. Box 248 Lutherville Md.	Customer
<i>Marie Baughan</i>	1501 Sharpsbrook Rd. Lutherville Md 21093	Customer
<i>William H. Hanks</i>	1542 House Bel Air Md.	Customer
<i>Alcie M. Jones</i>	19 Carver Dr. Lutherville Md.	Customer
<i>Rebecca Jones</i>	19 Carver Dr. Lutherville Md.	Customer
<i>R.R. de lauder</i>	9832 York Rd. Cockeysville Md 21030	Customer
<i>Deborah Hubbard</i>	200 West Phil Rd. Bel Air, Md 21014	Customer
<i>Jennie Rock</i>	712 CAMBERLEY DR. TOWSON, MD 21204	Customer
<i>Nicholas Fuchs</i>	1510 YORK RD. 380 York Road.	Customer
<i>Alan Goff</i>	518 SODPHEM ST. 4705 Maryland Rd. Balto MD 21208	Customer
<i>Philip Harts</i>	4705 Maryland Rd. 4705 Maryland Rd.	Customer
<i>KIM</i>	9100 Ham St Baltimore MD 21224	Customer
<i>Virat Chant</i>		

PETITION

We, the undersigned, support the application for exceptions
and variances filed by the owner and tenant of 10 W.
Seminary Avenue, Baltimore, Maryland, for the continued use
of the premises as a restaurant, with the parking variance
and the continued use of part of the second floor of the
premises for residential purposes.

NAME	ADDRESS	AFFILIATION (Owner, Tenant, Residential, Commercial)
<i>MARC SKARIN</i>	7120 Winter Rose Rd Columbia, Md 21045	Patron
<i>John G. Goff</i>	113 Skittail Hills Dr Lutherville Md	Patron
<i>Paul H. Hanks</i>	210 Carver Rd Timonium, Md.	Patron
<i>Alcie M. Jones</i>	3 Juncos Blvd Cockeysville, Md.	Customer
<i>J. Thomas Goff</i>	1407 E. Goff Rd 21204	Patron
<i>William H. Hanks</i>	5 Belmore Lane 308 Lord Byron Ln.	Patron
<i>Edward H. Hanks</i>	4100 Millardale Rd 21036	Patron
<i>Alcie M. Jones</i>	33 Kinn Ct 21224	Patron
<i>John G. Goff</i>	1420 York Rd	Patron
<i>Alcie M. Jones</i>	17 Glen Spring Court	Patron
<i>Charles H. Hanks</i>	1 Charles H. Hanks	Patron
<i>Rebecca Jones</i>	8409 Tally Ho Rd. Lutherville, Md.	Patron
<i>John G. Goff</i>	6304 Mission Balt. Md 21212	Patron

(OVER)

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation
James Hare	6304 Mossbury Rd MD 21212	Patron
Charles J. Houtell	8509 Falls Rd, Baltimore, Md 21215	Patron
David E. Vander	2215 Eastridge Rd 21093	"
Frederick J. Riddick	7122 Windsor Mill Rd 21097	Patron
J. L. Roemer	2128 SUBURBAN GREEN DR 21093	"
W. H. Gubler	5833 Wabash Ave, Balt. 21244	"

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
Tom Arch	1311 Blackfisher Rd 21228	Customer
Greg Kortess	5510 N. Medevick Rd 21228	Customer
Ralph Ingalls	4 Remond St. Apt. 202 Balt.	Customer
Drew Gress	200 Dine of Kent Lane Apt. 7-3 Cockeysville	Customer
Tim R. Dix	1018 Ruston Towers Baltimore MD 21204	Customer
Clayton Zwick	6526 Belle Vista Ave Balt. MD 21266	Customer
Bill Becker	311 Donagel Dr Towson Md 21204	Customer
Dr. Becker	311 Donagel Dr Towson, Md. 21204	Customer
R. K. Becker	311 Donagel Dr. Towson Md. 21204	Customer
W. E. Becker	311 Donagel Dr. Towson, Md. 21204	Customer
Dr. V. V. V.	1143 Charles St. Towson, Md. 21204	Customer
Dr. V. V. V.	911 Thoreau Rd. Towson, Md. 21204	Customer

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
P. McEvoy Cromwell	1710 Circle Rd. Balt.	Owner
Volker E. Giff	1420 York Rd	Owner
Charles Giff	13115 Green View Rd	Builder
Joseph Giff	4700 Bunkerburg Ln	Landscaper
Samuel M. Giff	4700 Bunkerburg Ln	Landscaper
Edna D. Giff	3700 York Rd	Legal Sec.
E. R. Giff	1280 York Rd	Customer
Lee R. Giff	6302 STURGEON DR	Contractor
A. Giff	12 W. Seminary Ave	Live next door
Himi Smith	236 Tuxedo Circle	Customer
W. E. Giff	3522 Glenview Rd	Customer
Norman Giff	3410 York Rd	Customer
Adelle Giff	1002 Annapolis Rd	Customer
Wm. Skinner	9405 Old Harbor Rd	Customer
MA-1 19 20 HARVEY L. L. L.	25 Parkview St Cockeysville Md 21030	Customer
Joe R. Giff	1301 York Rd	Customer
Dr. Giff	2010 York Rd	Customer
Dr. Giff	406 York Rd	Customer
Dr. Giff	1510 York Rd	Customer
Dr. Giff	7885 York Rd	Customer

PETITION

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NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
Anthony M. Boppre	2620 Lantana Rd	Customer
George Giff	5005 York Rd	"
Charles Giff	Lutherville	"
J. Giff	Lutherville	"
J. Giff	1803 Lantana Rd	"
Robert Tate	1714 Circle Rd.	"
Mark Cook	Bosley Lane	"
Wm. S. Giff	9103 Old Harbor Rd	"
Wm. S. Giff	29 Old Harbor Rd 21093	"
Matthew K. Giff	P.O. Box 74, Balt. Md. 21045	Customer
Bill Weigandt	2202 York Rd 21061	Customer
Dr. Giff	2620 York Rd 21030	Customer
Dr. Giff	8 York Rd 21030	Customer
Wm. S. Giff	7 Riddell St. Cockeysville	Customer
Stephen M. Giff	3733 Stansbury Hill Rd. 21097	Customer
Mayne Cope	3 Belleview Circle	Speaker
Thomas W. Giff	2701 York Rd 21093	Customer
Richard A. Giff	2305 York Rd 21034	Customer

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
Bill Conelle	1437 York Ave	Customer
Charlie Ives	10103 Greenview Way Apt 201 Cockeysville, Md 21030	Customer
John Dewed	1245 W. Seminary Lutherville, Md.	Customer
Harold H. Burns, Jr., Esq.	1423 York Ave. Lutherville, MD 21093	Customer
Ellen S. Brooks	8 Bellemore Rd Balt. Md. 21210	Customer
John T. Bowers	303 K. Fox Rd. Cockeysville, Md 21030	Customer
Eddie Brand	4212 Risterstown Rd	Customer
Donna D. Brand	3012 Yolanda Rd	Customer
Jane Albatt	18947 Muddletown Rd	Customer
Peter Murphy	Cockeysville	Customer
Leaster V. B. B.	181 Dundee Road Severna Park, Md	Customer
Dr. M. M.	1021 Exson Dr Joppa, Md	Customer
R. W. B.	1104 Kimbroth	"

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
O. Burtan	41 York Ave 21136	Customer
C. E. E.	6015 Parkview Ave. 21212	Customer
J. E. E.	6 Hibbard Blvd. Cockeysville Md 21030	Customer
Marguerite E. E.	3626 Glenview Rd. Balt.	Customer
John E. E.	302 York Rd. Towson	Customer
Charlotte E. E.	6603H COLLINGSWOOD RD 21234	Customer
Kimberly E. E.	1619 York Rd 21204	Customer
Charles E. E.	609 Congress Ct 21040	Employee
Richard E. E.	326 Lincoln Ave 21093	Customer
Arthur E. E.	5 Delmont Ct 21236	Customer
Harry E. E.	3609 Belmont Ave 21133	Customer
Jeanette E. E.	18432 Bunkerburg Rd. 21074	Customer
John E. E.	7 Dundee Way, Balt. 21014	"
Tom E. E.	3724 Brooklyn Ave 21225	"
Tom E. E.	1109 York Ave 21030	"
Harold E. E.	1108 W. York Rd. Towson 21204	"
Harry E. E.	17224 Pottsville Rd. Rd.	"
Ernest E. E.	24 Dublin	Customer
Wm. E. E.	901 E. Seminary	Customer

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
Jack Loring	1301 Felton Ct Lutherville, Md	Customer
James Loring	8302 York Rd. Towson, Md. 21204	Customer
Charles C. Hinkel	4726 Hamrick Ave. Baltimore, Md. 21206	Customer
Charles W. Loring	109 E. Seminary Ave Lutherville, Md 21093	Customer
Andrew C. Loring	907 Morris Ave Lutherville, Md 21093	Customer
Donna Loring	302 Felton Rd. Lutherville, Md 21093	Customer
Mary Clark	9740 Magenta Rd. Balt. 21234	Customer
Annis Papenow	3709 Greenwood Lane Balt. 21236	Customer

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

NAME	ADDRESS	Affiliation (Owner, Tenant, Residential, Commercial)
Frederick Schatz	10 Danbury Ct 21094	Customer
Greg Giff	5678 York Rd	Customer
Ellen Giff	755 York Rd Lutherville, Md 21093	Customer
Tom Giff	1400 Hawthood Rd 21093	Customer
Ann Giff	7 York Rd	Customer
Ann Giff	7 York Rd	Customer
Robert Giff	15 Warren Lodge Ct	Customer
Thomas Giff	424 Charming Rd	Customer
Wm. Joseph Giff	424 Charming Rd	Customer
William Giff	2814 Exton Rd	Customer

PETITION

We, the undersigned, support the application for exceptions and variances filed by the owner and tenant of 10 W. Seminary Avenue, Baltimore, Maryland, for the continued use of the premises as a restaurant, with the parking variance and the continued use of part of the second floor of the premises for residential purposes.

AFFILIATION
(Owner, Tenant,
Residential,
Commercial)

NAME ADDRESS

Helen Mangieri 111 E. Seminary Ave.
Chris Morgan 215 E. Timonium Rd.
Judith Wadde 15 W. ...
Cathy Wadde 305 Knightly Blvd.
Leo A. Feld 1420 York Rd.
Charles M. ... 7105 York Rd.
Donald Smith 1420 York Rd.
James Wise 427 Sherwood Rd.

1/8/81 - Notified the following of hearing set for THURS., MARCH 19, '81, at 10 a.m.:

Konstantine Prevas, Esq.
David Preller, Esq.
Armstead Thompson
Dr. Kirkor Sekercon
Mr. Roland A. Rockel
J. Hession, Esq.
J. E. Dyer
Wm. Hammond
Jean Jung

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

January 8, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-248-XA

DR. KIRKOR SEKERCON

SE-to allow living quarters in a commercial building; Var.-to permit 9 parking spaces in lieu of required 33.
N/S Seminary Ave., 195' W of York Rd.

8th District

6/13/80 - D.Z.C. (J. Jung) GRANTED special exception and variance

ASSIGNED FOR:

THURSDAY, MARCH 19, 1981, at 10 a.m.

cc: Konstantine Prevas, Esq.

Counsel for Petitioner

David J. Preller, Sr., Esq.

" " "

Mr. Armstead Thompson

Requests notification

Dr. Kirkor Sekercon

Petitioner

Mr. Roland A. Rockel

Protestant

J. W. Hession, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

" "

J. Jung

" "

June Holmen, Secretary

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

March 31, 1981

John W. Hession, III, Esq.
People's Counsel
Court House
Towson, Md. 21204

Re: Case No. 80-248-XA
Dr. Kirkor Sekercon

Dear Mr. Hession:

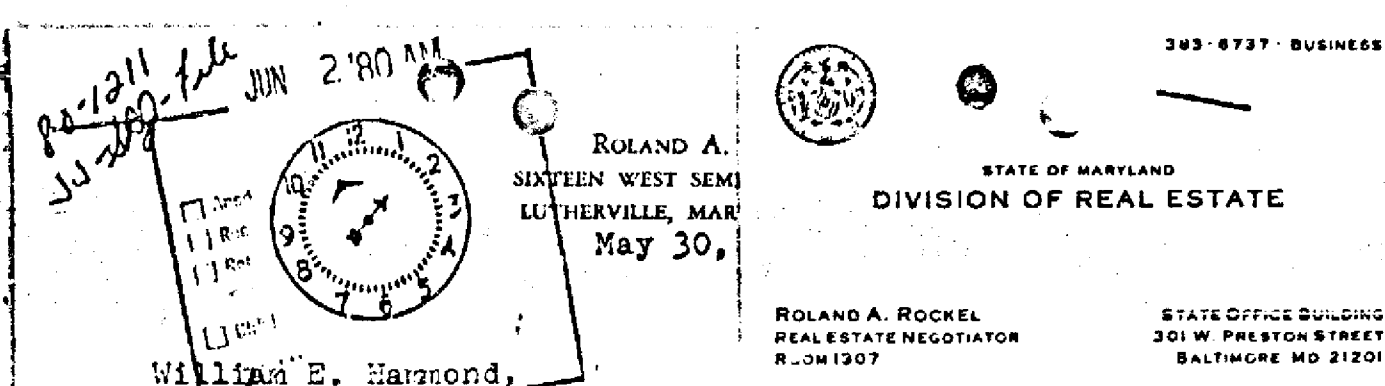
Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen, Secy.

Encl.

cc: Dr. Kirkor Sekercon
Mr. Roland A. Rockel
Konstantine J. Prevas, Esq.
David J. Preller, Sr., Esq.
Mr. Armstead Thompson
Mr. James E. Dyer
Mr. William Hammond
Ms. Jean Jung
Mr. Norman E. Gerber
Mr. J. Hession



William E. Hammond,
Zoning Commissioner
Baltimore County Office Bldg.
Towson, Maryland 21204

Re: Docket no. 80-248-XA
Special Exceptions
9:45 A.M., June 1, 1980
Dr. Kirkor Sekercon

Dear Commissioner Hammond:

It is unfortunate that I will be unable to attend the subject Zoning Hearing as a protestant and affected resident home owner, residing 3 doors West of the site.

In my capacity for the State of Maryland, I am committed to a meeting in Prince Georges County with their Director of Public Works. This meeting had been set forward once and I feel it inappropriate to cancel our meeting, because of the priority of the matter.

I do want to compliment those presently within the Zoning Department that have now brought some element of compliance with the original zoning approval of 1964. Sixteen years has been a long time to suffer and be the victim of non-compliance, even though efforts were put forth to achieve some degree of correction in this period.

I wish to be on record as opposing additional proliferation of commercial activity at the subject site. The original grant limited the use to "Carry Out". I fail to ascertain any public necessity or convenience to be served in this case. There are ample "Eat In" places within the York Road corridor and a number nearby.

Also, I am opposed to approval of living quarters in a commercial building, as it only serves to benefit the owner and tenant; at the detriment of others. If the claim is of hardship, I, as one individual, would be willing to remove my objection to this part of the petition; if and in the event the owner of record would be willing to enter into a recorded covenant binding himself, his successors and assigns to limit the signs on the site in conformity with Section 413.2 para. f. (E.O.Z.R. 1955). Wherein only 100 square feet maximum would be permitted and limited to 3 in number. Also, in the future the building be painted a color more compatible with those nearby residences and not the present hideous orange color. The costs of drafting the covenant and recording to be born by the owner.

William E. Hammond,
Zoning Commissioner
Page 2, May 30, 1980

Your Enforcement Offices attention is directed to the fact there now are 7 signs (some double faced) on the building and/or property, which may exceed the allowable square footage. Further, there seems to be no evidence of the required license/permit tags.

As an affected resident homeowner, my rights of enjoyment of my property and life have suffered over these years by those responsible for conditions at 10 West Seminary Avenue. I will not belabor the matter further enumerating the many problems endured.

I do feel it appropriate to cite that Seminary Avenue, West of the location, is only the substandard right of way width of 30 feet wide and a 20 foot wide paved roadway. Thus, if vehicles cannot park on the subject property and resort to parking on the 5 feet or road shoulder; they create a traffic hazard, as about 8 feet is the width for a parking area. (Reference the "Maryland General Laws, Act of 1867, Chapter 220" Also, Plat of Survey made in 1867, in Road Record Book # 4, Baltimore County Land Records - whereby the State of Maryland acquired from the County the existing 30 foot wide right of way and have not acquired any additional right of way to even bring it up to the minimum 40 foot width.)

I respectfully petition that you protect the rights of all and deny these requests and restrict the use to the original Zoning, as granted in 1964.

Very truly yours,

June Holmen

encl.

* P.S. Please acknowledge receipt of this letter, so I am assured it was considered in the matter, and provide a copy of the subsequent Order issued in the case.

Thank you

DR

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
PETITION FOR VARIANCE : COUNTY BOARD OF APPEALS
N/S Seminary Ave., 195' W of York Road, 8th District :
Dr. Kirkor Sekercon, : OF
Petitioner : BALTIMORE COUNTY
: No. 80-248-XA

OPINION

This case comes before this Board of appeal from a decision of the Deputy Zoning Commissioner of Baltimore County, granting the requested parking variance from the required 33 parking spaces to the provided 9 parking spaces with restrictions. Case was heard this day "De Novo" in its entirety.

Mr. Stefanoros, the Accountant and presently manager of this business, testified as to the nature of the business and the need for the requested variance. He testified that gross sales per week were between \$2000 and \$2200 and that 75% of this business is from "sit down" trade. He noted there are only 3 employees; 2 full time and 1 part time and only 6 tables were available. He testified that there was never any wait to be seated, no parking problems and the parking lot never filled. He testified that if the 33 spaces were absolutely required, the business would have to be discontinued, as the "carry out" portion could not support it.

Mr. John F. Toohey, a real estate broker, has had his office over this restaurant for 2 1/2 years. He also stated he has lived in this area for some 17 years. He testified he is on the premises some time every day and has never seen any traffic problem whatever. In the 2 1/2 years of his office residency, he testified he has seen the parking lot full only once, and he was in favor of granting the requested variance.

Mrs. Nancy Thompson, 12 W. Seminary Avenue, next testified. She stated she is the next door neighbor to this small restaurant and was also in favor of granting this variance. She testified that the present business was a radical improvement over the prior

Dr. Kirkor Sekercon
Case No. 80-248-XA

business, that no vandalism now occurs, that no parking or traffic problems are present, and that she would in no way like to see the business changed.

Mr. Michael S. Flanigan, Traffic Engineer for Baltimore County, testified that his Department automatically opposes parking variances because of the future problems that may arise. In this instant case, he would have no objection but should the business change owners, this variance could possibly produce problems.

Mr. Roland A. Rockel, 16 W. Seminary Avenue, testified in opposition to granting this variance. He noted the minimum width of Seminary Avenue at this site and feared that any overflow from the parking lot would have to park along this road and this would create problems. He also feared the accumulation of trash and debris on his property from any such parking and also the possibility of reduced visibility to his entrance from same. He also, however, admitted that he was aware that a completely "carry out" business could legally be operated from this site without the requested variance.

After consideration of all of the above testimony and evidence, the Board is of the opinion that to deny the requested variance would create practical difficulty and/or unreasonable hardship for the Petitioner and will therefore order it granted subject to restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, the Board AFFIRMS the Order of the Deputy Zoning Commissioner dated June 13, 1980, and ORDERS this 31st day of March, 1981, that the variance petitioned for be and the same is hereby GRANTED, subject to the following restrictions:

1. The hours of operation for the restaurant shall be between 6:00 A.M. and 11:00 P.M.
2. No more than 6 tables and 12 seats shall be allowed in the restaurant area.
3. Approval of the aforementioned site plan by the Maryland Department of Transportation, Department of Public Works, and the Office of Planning and Zoning.

Dr. Kirkor Sekerkan
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4. The continued validity of this variance depends on compliance with these restrictions in any future use of the subject site as a "sit-down" restaurant. Any deviation from these restrictions would nullify this variance and require proper procedures on the proposed use.

Any appeal from this decision must be in accordance with Rules B-1 thru

B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Acting Chairman

Leroy B. Spurrier
Leroy B. Spurrier

Patricia Millhouser
Patricia Millhouser

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: MAY 16, 1980
Posted for: PETITION FOR SPECIAL EXCEPTION AND VARIANCE
Petitioner: DR. KIRKOR SEKERKAN
Location of property: N/S SEMINARY AVE., 195' W. OF YORK RD.
Location of Signs: N/S SEMINARY AVE. 200' TO - W. OF YORK RD.
Remarks: _____
Posted by: Thomas R. Roland Date of return: MAY 22, 1980

Konstantine J. Prevas, Esquire
540 Tower Building
Baltimore, Maryland 21202

cc: Mr. Leo Rader
18 Mallard Road
Timonium, Md. 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 16th day of April, 1980.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Dr. Kirkor Sekerkan

Petitioner's Attorney Konstantine J. Prevas, Esq. reviewed by: Nicholas E. Commadori
Chairman, Zoning Plans
Advisory Committee

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:	Revised Plans: Change in outline or description _____ Yes Map # _____									
Previous case: <u>80-153V</u>	_____									

3966 C-80-140

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: JULY 20, 1980
Posted for: APPEAL
Petitioner: DR. KIRKOR SEKERKAN
Location of property: N/S SEMINARY AVE. 195' W. OF YORK RD.
Location of Signs: N/S SEMINARY AVE. 200' TO - W. OF YORK RD.
Remarks: _____
Posted by: Thomas R. Roland Date of return: JULY 25, 1980
Number of Signs: CND

CERTIFICATE OF POSTING

TOWSON, MD., 16, 1980
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., successively each of _____ successive weeks before the _____ day of _____, 1980, the first publication appearing on the _____ day of _____.

L. L. L. L.
THE JEFFERSONIAN,
Manager

Cost of Advertisement, \$ 75

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 14th day of July, 1980

Filing Fee \$50.00 Received: ☒ Check
☒ Cash
☐ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Dr. Kirkor Sekerkan Submitted by Konstantine J. Prevas

Petitioner's Attorney Konstantine J. Prevas Reviewed by Nicholas E. Commadori

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: _____ Revised Plans:
Change in outline or description _____ Yes
Map # _____
Previous case: 80-153V _____ No

3966 C-80-140

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: JUNE 2, 1980 ACCOUNT: 01-662

AMOUNT: \$52.50

RECEIVED FROM: Crack Corner

FOR: Advertising and Posting for Case No. 80-248-XA

VALIDATION OR SIGNATURE OF CASHIER

Petition for Special Exception & Variance

8th District
Zoning: Petition for Special Exception and Variance
Location: North side of Seminary Avenue, 195 feet west of York Road.
Date & Time: Wednesday, June 4, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Special Exception to allow living quarters in a commercial building and Variance to permit nine (9) parking spaces in lieu of the required 33.
The Zoning Regulation to be accepted is as follows:
Section 409.2 a5b (3 & 5) - Offstreet parking.
All that parcel of land in the Eighth District of Baltimore County
Beginning for the same on the north side of Seminary Avenue distant approximately 195 feet measured westerly along the original north side of Seminary Avenue from the center of York Road, thence along the north side of said avenue north 89° 35 minutes west 61.67 feet, thence by the three following courses and distances respectively, viz: north 1° 25 minutes east 157.15 feet, south 55° 18 minutes east 75.53 feet, and south 1° 25 minutes west 113.51 feet to the place of beginning.
Being lots no. 36 and 37 as shown on the plat of "Lutherville Heights" recorded among the Land Records of Baltimore County in Plat Book W.P.C. no. 7 folio 88.
Being the property of Dr. Kirkor Sekerkan, as shown on plat plan filed with the Zoning Department.
Dated: JUNE 4, 1980
AT 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF
WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County

The Essex Times
Essex, Md., _____ 1980

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of _____ successive weeks before the _____ day of _____, 1980.
W. H. H.
Publisher.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 089631

DATE: July 2, 1980 ACCOUNT: 01-662

AMOUNT: \$75.00

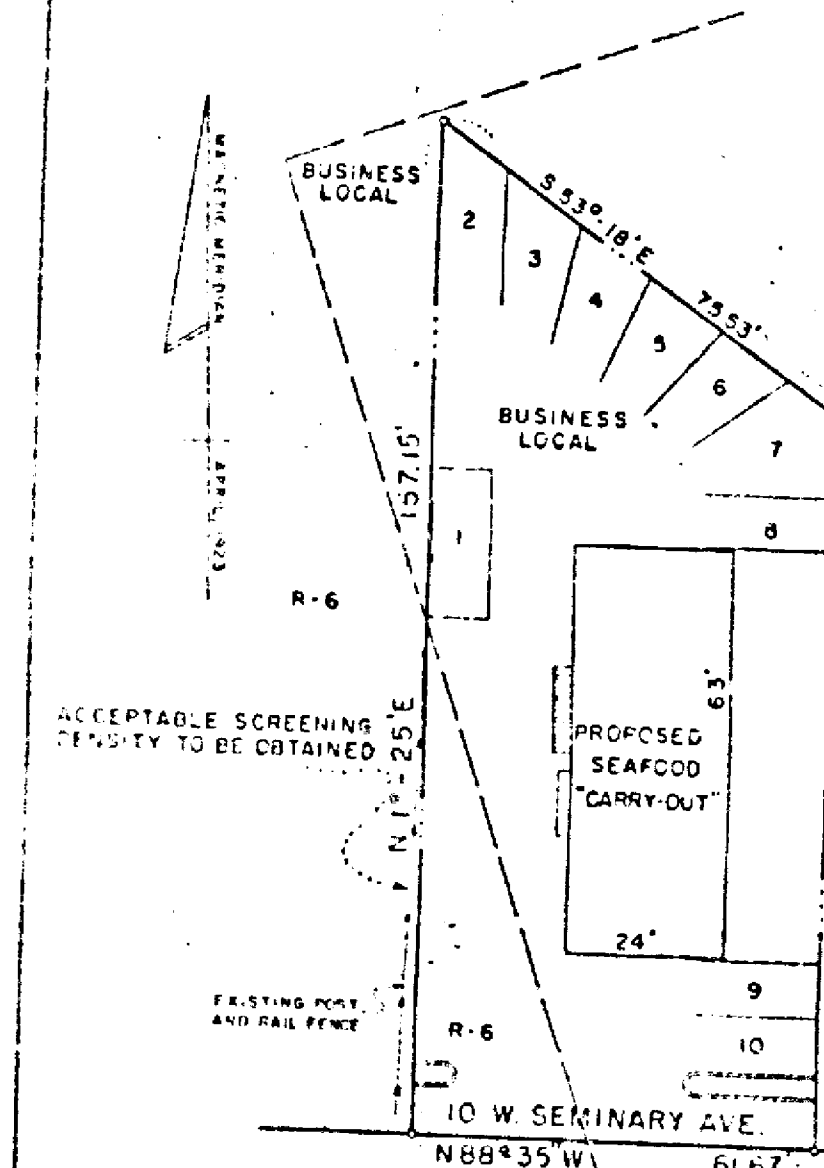
RECEIVED FROM: John V. Bessian, III, Esquire

FOR: Filing Fee for Appeal of Case No. 80-248-X

75.00 CASH

VALIDATION OR SIGNATURE OF CASHIER

PLAT OF
LOTS NOS. 36 & 37
"LUTHERVILLE HEIGHTS"
8TH DIST. BALTO. CO., MD.
SCALE 1" = 30' APRIL 17, 1964



- NOTE
- 1) LIGHTING TO COMPLY WITH BALTO. CO. ZONING REGULATIONS.
 - 2) PARKING LOT TO BE PAVED WITH HARD, DUSTLESS SURFACE AND TO BE PROPERLY DRAINED
 - 3) RETAINING WALL TO BE BUILT ALONG PROPERTY LINE WHERE NECESSARY.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY James J. Gaudin
DATE: 7/1/80

SUBJECT TO COMPLIANCE
WITH ALL NOTES INDICATED
ON PLAN. WORK MUST BE
COMPLETED WITHIN 30 DAYS.
8/9 9/20/80

LOCATION	USE	SIZE	AREA	PARKING SPACES REQUIRED
1ST FLOOR	SEAFOOD CARRY-OUT	24 X 33	152.50 SQ. FT.	152.500 = 7.56
2ND FLOOR	OFFICE	24 X 33	720.50 SQ. FT.	720.500 = 1.44
3RD FLOOR	OFFICE	24 X 33	720.50 SQ. FT.	720.500 = 1.44
TOTAL PARKING SPACES REQ'D				10.44

LEO W. RADER
REG. LAND SURVEYOR
38 PELFREST RD.
TIMONUM, MD. CL 2-2921

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION FOR LIVING
QUARTERS IN A COMMERCIAL BUILDING
AND VARIANCE FOR RESTAURANT PARKING

LOTS NOS. 36 & 37
"LUTHERVILLE HEIGHTS"

8TH ELECT. DIST. BALTO. CO., MD.
SCALE: 1"=30' MAR. 14, 1980

ZONE D.R. 5.5
EXISTING USE
RESIDENTIAL

NOTES

- 1) REQUIRED PARKING SPACES:
RESTAURANT 1512 ÷ 50 = 30.24
OFFICE 769 ÷ 500 = 1.54
RESIDENCE (APT.) = 1

TOTAL = 33

- 2) NO. OF PROPOSED PARKING
SPACES = 9

- 3) PARKING LOT SHALL BE
MACADAM OR TAR AND CHIPS.

- 4) PARALLEL PARKING = 9' x 23'
OTHER PARKING = 9' x 18'

- 5) ALL LIGHTING (IF REQUIRED) TO
COMPLY WITH BALTO. CO.
ZONING REGULATIONS.

- 6) UNLESS OTHERWISE NOTED, ALL
DETAIL SHOWN HEREON IS
EXISTING.

POSSIBLE FUTURE R/W
WIDENING LINE

PROPOSED CURB

MACADAM SHOULDER
N 88° 35' W 61.67'
30'
SEMINARY AVENUE
TRAVELED MACADAM
BERM CURB

ZONE BL-CNS
EXISTING USE
GAS STATION

TEMPORARY
PARKING SPACE
PENDING PROPOSED
WIDENING

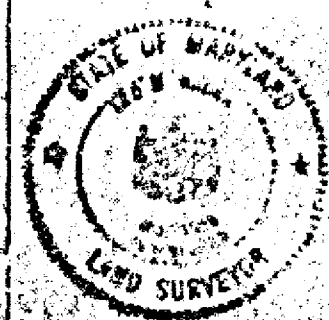
REVISED PLANS

APR 16 '80 AM

Amnd
Re
Red
Entd
Chkd

OFFICE

LEO W. RADER
REG. SURVEYOR
38 BELFAST ROAD
TIMONHUM, MD. CL 2-2920



PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION FOR LIVING
QUARTERS IN A COMMERCIAL BUILDING
AND VARIANCE FOR RESTAURANT PARKING

LOTS NOS. 36 & 37

"LUTHERVILLE HEIGHTS"

8TH ELECT. DIST. BALTO. CO., MD.
SCALE: 1"=30' DEC. 20, 1979

ZONE D.R. 5.5
EXISTING USE
RESIDENTIAL

NOTES

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RESTAURANT 1512 ÷ 50 = 30.24
OFFICE 769 ÷ 500 = 1.54
RESIDENCE (APT.) = 1

TOTAL = 33

- 2) NO. OF PROPOSED PARKING
SPACES = 10

- 3) PARKING LOT SHALL BE
MACADAM OR TAR AND CHIPS.

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OTHER PARKING = 9' x 18'

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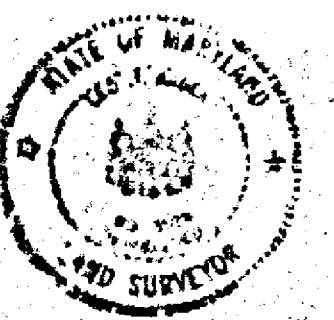
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